

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Joseph Norgren,

Court File No. 22-CV-00489 (ADM/HB)

Plaintiff,

vs.

**DEFENDANTS' MOTION TO  
DISMISS THE AMENDED  
COMPLAINT**

Minnesota Department of Human  
Services, and Commissioner Jodi  
Harpstead, in her individual capacity,

Defendants.

TO: PLAINTIFF Joseph Norgren, and his attorneys, ECKLAND & BLANDO LLP, Daniel J. Cragg, Anne St. Amant, 800 Lumber Exchange Building, 10 South Fifth Street, Minneapolis, Minnesota 55402; and UPPER MIDWEST LAW CENTER, Douglas P. Seaton, James V. F. Dickey, 8421 Wayzata Boulevard, Suite 300 Golden Valley, Minnesota 55426

Defendants Minnesota Department of Human Services and Commissioner Jodi Harpstead, in her individual capacity, move the Court to dismiss Plaintiff's Amended Complaint for failure to state a claim upon which relief can be granted and for lack of subject matter jurisdiction.

This motion is made pursuant to Fed. R. Civ. P. 12(b)(1), (6) and 12(h)(3), and is based upon the files, records, and proceedings herein, including the memorandum of law filed and served herewith.

***Signature on Following Page***

Dated: May 11, 2022

KEITH ELLISON  
Attorney General  
State of Minnesota

/s/ Kathleen M. Ghreichi

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